

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.171 OF 2020

(Dipak s/o Ramesh Aaru and another Vs. The State of Maharashtra thr. PSO PS
Lonar, Dist. Buldhana)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri R.M. Daga, Advocate for Applicant.
Shri P.S. Tembhare, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 11th MARCH, 2020.

The body of Akash Tayde was discovered on 05.11.2019 with injuries suggesting homicidal death.

2] The applicants and the wife of the deceased, Mayawati were arrested on suspicion. The investigation is complete and the charge-sheet is filed.

3] According to the prosecution, the motive for the crime is the illicit relationship between Mayawati and applicant Satish.

4] Other than motive, and the material to bring on record the motive appears to be the statements of the relatives who are in unison in stating that Mayawati did have illicit relationship with Satish, the other material on which the prosecution is relying to complete the chain of

circumstances is the recovery of knife and stone, at the instance of accused Dipak, pursuant to memorandum under section 27 of the Indian Evidence Act. The knife and stone were blood stained. The C.A. report is awaited.

5] In so far as applicant Satish is concerned, the three wheeler allegedly used to transport the body is said to have been recovered at his instance.

6] Considering that the evidence of recovery in itself is ordinarily a weak piece of evidence, which observation is, of course, only for the purpose of consideration of entitlement for bail, I am inclined to release the applicants on bail subject to the following conditions:

[i] The applicants be released on bail on furnishing P.R. bond of Rs.20,000/- each with a surety of like amount.

[ii] The applicants shall not, directly or indirectly make any attempt to influence the witnesses.

JUDGE